



***Aboriginal news from across Turtle Island and beyond
April 1-5, 2013***

Aboriginal youth embark on 45-day walk to Ottawa: Group calling for federal action to protect Manitoba waterways

[CBC News](#)

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About a dozen aboriginal youth began their march from Winnipeg to Ottawa on Thursday. (Jeff Stapleton/CBC)

About a dozen aboriginal youth left from Winnipeg Thursday with the aim of making it to Ottawa on foot.

The group, known as Youth For Lakes, departed from the Manitoba Legislative Building at 8 a.m.

They will spend 45 days walking more than 2,000 kilometres to raise awareness and put pressure on the government to protect waterways in Manitoba.

Ben Raven organized the march. He said he was inspired by the Idle No More movement.

"To see our people band together in dire need, in such a case as the bills being pushed through, the omnibus bills, for us youth to see that, it gave us that sense of hope," said Raven.

"There's always hope. There is always a fighting chance."

Raven said the group wants to see the omnibus budget bill, Bill C-45, overturned.

"Our future is in jeopardy through these bills. They are destroying our waters, destroying our natural resources," said Raven.

"We just want to see these bills abolished. We want our lands preserved."

Fleury shares story of resilience to help combat First Nations suicide

[Regina Leader-Post](#)

March 29, 2013

Kerry Benjoe



Former NHL player Theoren Fleury with Qu'Appelle Child and Family Services Director Lois Isnana.

STANDING BUFFALO FIRST NATION — A community in crisis calls out for help and it is answered by former-NHL player Theoren Fleury.

"In light of the recent suicides and attempted suicides we needed to do something ... for

our youth, our families and community," said Chief Rodger Redman. "A lot of parents have been asking us, 'How can we help our kids?' "

On Thursday, with the assistance of Qu'Appelle Child and Family Services (QCFS) a suicide prevention workshop was hosted on Standing Buffalo.

When the former NHL player entered the Standing Buffalo gymnasium, he was greeted with a standing ovation but once the cheers subsided Fleury asked for a moment of silence for the grandmothers and grandfathers.

He is the first to admit he is no longer the man he once was and he could not be happier.

"This is the 64th First Nation community I have visited since my book came out and I have had a lot of opportunities to speak with elders and leaders in the communities and they are all telling me that we need to get back to our old ways — spirituality, ceremonies and language," said Fleury.

That's exactly what he has done and says it has been his miracle.

Fleury chronicled his life story in his autobiography *Playing with Fire*.

In his book, he revealed his darkest and most painful memories from being sexually abused to becoming an alcoholic to finally contemplating suicide before deciding to take control of his life.

He took his last drink on Sept. 18, 2005 and hasn't looked back, but said it has not been an easy journey.

"I believe my healing flat lined for a really long time," said Fleury. "I was a couple years sober when I started to venture into aboriginal spirituality ... my recovery went to a completely new level of peace, happiness and understanding."

He is a strong believer in the power of prayer and traditional ceremonies.

Fleury has fully embraced First Nations culture and says participating in a sweat-lodge ceremony is his favourite thing to do.

"I've done an incredible amount of healing in the sweat lodges," he said.

He is also an honorary chief at the Siksika First Nation in Alberta, all his children have Blackfoot names and he is a pipe carrier.

Fleury believes he has an obligation to share his story and to reach out to young people and let them know there is hope and that they hold the key to their own success.

"It wasn't too long ago that I had a loaded gun in my mouth, ready to pull the trigger and so I know how these kids are feeling," he said. "But I didn't (pull the trigger) and thank God I didn't because look at my life now. My life today is incredible."

He ended his keynote address by telling the young people in the audience to never give up and to wait for their miracle.

Redman hopes Fleury can be the inspiration the young people need by leaving them with a sense of hope that things will get better. He knows in order to help heal his community and help the youth that more is needed.

"It's a first step," said Redman. "(We're) partnering with social services in Fort Qu'Appelle, Fort Qu'Appelle high school, Lipton High School and QCFS and the communities to bring together some awareness about bullying, self esteem for our youth, suicide prevention and in the coming weeks we are going to do more training and parenting. More training on, how to deal with a situation when you are aware of a possible suicide victims — those who are thinking about it."

Make Agecoutay, QCFS chief's liaison officer policy analyst, said he knew the community needed immediate help. So he and the rest of the agency went to work to set up the workshop.

"We only had two weeks, but everything seemed to fall into place," he said. "This is the first major event we have had to respond to, probably in the last decade or so. There hasn't been an immediate need for suicide intervention programming ... It was our obligation to do something immediately."

Agecoutay said it is clear from the response the event received from schools, parents, caregivers, front-line workers, foster parents and other agencies that this type of awareness training is needed.

"Suicide is a tough topic to discuss," said Agecoutay. "It's so sensitive that (youth) would rather not deal with it."

He believes being able to openly discuss the topic will help curb the rate of youth suicide in First Nation communities.

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Feds back down and restore funding for Onion Lake

[The Star Phoenix](#)

April 1, 2013

Jeff Davis

Aboriginal Affairs is waving the white flag in its confrontation with the Onion Lake Cree Nation over new financial transparency rules, Chief Wallace Fox said Thursday.

Fox said his office received an email late Wednesday from the federal department's director general responsible for Saskatchewan, backing down from threats to freeze funding for the reserve.

"They're going to reinstate our funds April 10, the letter states, as the minister's office has directed," Fox said.

Bill C-27, which came into force this week, requires First Nation governments to publicize audited financial statements and the salaries and expenses of their chiefs and councillors.

The new law includes sections allowing the government to cut off funding to any band that fails to abide by the new rules, but Fox said Wednesday that Onion Lake will not comply with the new rules.

Fox is suspicious of the move to reinstate funding.

"I don't know what the motive is behind it, but it certainly is not going to be in our favour," he said. "They're basically covering their butts by funding us.

"Why would they be scared of one Indian band, one chief and council, out of 630 reserves in Canada?" he said. "Why would they be so scared that they'd give the money back? ... They're up to something."

After many betrayals and games in the past, Fox said, his band has little faith in the department.

"Thirty years ago one of the elders told me, do not ever trust Indian Affairs or the government," he said. "They cannot be trusted, and there is always an angle."

Conservative Saskatoon-area MP Kelly Block introduced bill C-27, and said she is "very pleased" it has passed into law.

"Obviously this is legislation members from First Nations communities have been calling for," she said. "It's important that members of First Nations communities and the public know where funds are being spent."

Block said that while Onion Lake may indeed have strong financial reporting processes already in place, many First Nations communities do not.

"This issue is treated very differently from First Nation to First Nation," she said. "There are some that publicly and proactively disclose this information, and then there are those that simply refuse."

Block would not speculate about what action may be taken against First Nations that defy the new reporting requirements.

Jan O'Driscoll, a spokesman for Aboriginal Affairs Minister Bernard Valcourt, said no lawsuit has been filed by the Onion Lake First Nation, and that the Aboriginal Affairs department has invited the band's leaders to discuss the issue.

"Departmental officials are prepared to meet with (the band council) at their earliest convenience to further understand and discuss the exact nature of their concerns respecting the 2013-2014 Funding Agreement amendment," O'Driscoll said.

Fox said the Aboriginal Affairs department has requested the band meet with junior officials, and that he will request a meeting directly with Minister Valcourt.

"We want to meet with somebody with authority," he said.

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Chief Theresa Spence to receive heritage award at annual Fergus Aboriginal Festival

[The Record](#)

April 2, 2013

Scott Tracey

FERGUS — Chief Theresa Spence, whose six-week hunger strike galvanized the Idle No More movement and pushed native rights onto newspapers' front pages, will be honoured later this month at a local festival.



Spence, chief of the Attawapiskat First Nation, will be present to accept the first Aboriginal Heritage Award at the Aboriginal Heritage Festival, to be held April 19 and 20 at the Wellington County Museum and Archives.

Jack Frimeth, a math teacher at Centre Wellington District High School in Fergus, organizes the festival with local First Nations artisan Naomi Smith. He said over the Christmas break he and Smith travelled to Ottawa, where they were able to meet with Spence.

Students and staff at the high school had been raising money for Attawapiskat schools during the past year "so we had a bit of a connection and we felt we wanted to support Chief Spence ... in her role within the Idle No More movement," Frimeth said in an interview. "Chief Spence really galvanized that movement."

Frimeth and Smith had been considering implementing the award during this third-annual festival, and Spence was the obvious choice.

"We want to recognize people who have made a significant contribution to Aboriginal culture and heritage," Frimeth said.

Organizers have also created an Aboriginal Youth Heritage Award, which will be presented annually to someone under the age of 25.

The inaugural youth award will be presented posthumously to Shannen Koostachin, an Attawapiskat teen who took to the internet to launch the Students Helping Students campaign to raise money for a new school in her community.

Koostachin spoke about her experiences in the media, at conferences and on the steps of Parliament Hill, earning an International Children's Peace Prize in 2009 at the age of 14.

She died in a car accident a year later while attending a school hundreds of kilometres from her home, but her struggle prompted Shannen's Dream, a youth-driven movement striving for equitable education funding for First Nations children.

"There are Third World conditions in this country and within our own province and there are kids in this country who, because of where they live, don't have the same access to education as other kids," Frimeth said. "It's just wrong."

Koostachin's award will be accepted on her behalf by her sister, Serena. The Aboriginal Heritage Festival kicks off with an education day for local students April 19, followed by a community day April 20.

Spence will accept her award during the Saturday community day at 1:30 p.m. Other activities that day include workshops on singing, drumming and medicinal plants, as well as demonstrations of native dancing.

Frimeth said the idea of the festival is “to help people connect or reconnect with Aboriginal heritage.

“It’s an educational experience ... so people can learn about Aboriginal cultures,” he said, adding it is important for non-Aboriginal residents to attend to counter stereotypes or negative perceptions they might have about Aboriginal communities.

More information on the festival can be found at the Centre Wellington District High School website at www.ugdsb.on.ca/cwdhs.

Distrust of Harper government grows over First Nations funding rules

[The Globe and Mail](#)

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Kathryn Blaze Carlson



Prime Minister Stephen Harper takes part in the Crown First Nations Gathering in Ottawa on Tuesday, January 24, 2012. (Sean Kilpatrick/CP)

First Nations are pushing back at the Harper government over strings they say have been unfairly attached to their federal funding.

Chiefs contend Ottawa crafted the 2013-2014 funding agreement without consultation and that a specific clause forces them to abide by existing and future legislation – without the right, they say, to mount legal challenges. The document, which is about 50 pages long and lays out funding conditions such as reporting and transparency requirements, includes changes to on-reserve income assistance and specifies that relevant future legislation prevails over existing terms.

While the particularly contentious clause is not new – the paragraph about existing and future legislation dates back at least as far as 2008 – one prominent leader said chiefs reviewed the agreement with more scrutiny this year because of the extent to which aboriginal-federal relations have deteriorated.

"Trust has diminished," said Morley Googoo, the Nova Scotia and Newfoundland regional chief for the Assembly of First Nations. "People have grown more aware of what's written."

Leaders from Nova Scotia, Manitoba, Saskatchewan and Alberta told The Globe and Mail that chiefs have either withheld signatures or signed the agreement stipulating duress. Saskatchewan's Chief Wallace Fox sent a package to Aboriginal Affairs saying he signed under duress and enclosed a copy of a recent Montana Senate resolution supporting Canada's Idle No More movement and the right to consultation.

Saskatchewan regional chief Perry Bellegarde said the agreement has caused "alarming fear" among the province's 74 bands, which is why his Federation of Saskatchewan Indian Chiefs advised bands to sign saying they did so under duress. Mr. Googoo said most bands didn't have a choice: "It's not like we're rich enough to say, 'Screw you.'"

On Tuesday, one Manitoba First Nations organization plans to issue a directive to its chiefs advising them to challenge the "assimilationist extortion tactic" in court. Also Tuesday, First Nations will receive their first monthly cheque under the new agreement (once signed, Ottawa will issue funding regardless of whether there was mention of duress).

Several chiefs said they are more suspicious than ever of the Harper government because of what the past year has brought: two omnibus budget bills that enraged First Nations concerned with the environment and treaty rights; new financial transparency rules allegedly passed without proper consultation; and an unwillingness on behalf of the Prime Minister to meet with First Nations leaders alongside the Governor-General.

"There's a growing restlessness and anger," University of Manitoba native studies professor Peter Kulchyski said of the latest uproar. "I think we're looking at the threat of a whole other scale of potentially violent [protest], but certainly civil unrest, coming from aboriginal communities."

The government put out a statement last month saying changes to the agreement are "solely administrative" and that "there is no explicit or implicit funding condition" regarding the omnibus budget legislation. To that, Mr. Bellegarde said: "That's their interpretation."

He said the new agreement is peppered with concerning language. At various points, a phrase was inserted stating that recipient bands must not only meet the terms of this agreement, but also relevant conditions laid out under future legislation. It also includes more clearly defined financial reporting requirements and

nods to a controversial Budget 2012 pledge to align on-reserve social assistance with provincial programs.

John Paul, executive director of the Atlantic Policy Congress of First Nations, pointed out that a federal judge issued an injunction last year temporarily preventing Ottawa from reducing income-assistance rates for First Nations in Maritime provinces. A decision is expected this summer.

Aboriginal Affairs spokesperson Lesia Manchulenko said the office welcomes any questions to help “clarify the meaning and intent of certain clauses.”

Aboriginal Affairs Minister Bernard Valcourt has also directed the department to mail the agreements earlier next year since chiefs complained they didn’t have enough time to review them before the March 15 deadline.

Hingston: Teaching Cree to a new generation

[Edmonton Journal](#)

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Michael Hingston



Caylie Gnyra of Little Cree Books. Photograph by: Richard Siemens, Edmonton Journal

EDMONTON — Caylie Gnyra got the idea for Little Cree Books in 2009, while sitting in a Native Studies classroom at the University of Alberta. For the next four years, she struggled to find time to work on the project in between the various other commitments in her life, which included a master’s degree in museum science and an internship at the [Smithsonian’s National Museum](#) of the American Indian in Washington, D.C.

Earlier this year, however, she decided that a few hours a week was never going to be good enough. So Gnyra gave notice at her day job as a technical writer — after having already wrapped up a nine-year stint in academia — and is now getting ready to commit herself to Little Cree Books full time.

Her inspiration came from an unlikely place: a column in the satirical newspaper The Onion. Its headline was Find The Thing You’re Most Passionate About, Then Do It On Evenings And Weekends For The Rest Of Your Life. The column was aimed squarely at guilty creative types, and it was the push that Gnyra needed.

"That was exactly how I felt," she says. "It was brilliant, and it couldn't have come at a better time."

[Little Cree Books](#) is a series of introductory resources for children learning to read the indigenous language. The books are being prepared in line with the Alberta Education curriculum for Cree language studies, and will eventually come tiered for different age groups; think of them as the equivalent of the stepping-stone [I Can Read!](#) series for English readers.

Back in that U of A classroom, Gnyra, who was studying the language but is not Cree herself, realized that there were huge gaps in the existing learning materials.

"There are a lot of (written) resources available if you can speak and read Cree fluently," Gnyra says. "And there's a lot of really basic stuff: numbers, and animals, and pictures on a page ... But nothing's tying point A to point B."

So Gnyra decided to fill that gap herself — and she's using technology to reach as wide an audience as possible. Since all classrooms in Alberta are now equipped with interactive whiteboards called Smart Boards, as well as high-speed Internet access, the Little Cree Books titles will be available online as free PDF files. With no printing or distribution costs, any classroom that wants these resources can access them in a matter of seconds.

The end goal is to help sustain a language that isn't in danger, exactly, but also isn't thriving the way it once did.

"A lot of linguists say that in the next 50 years, Cree, Ojibwe, and Inuktitut are going to continue to be spoken — but most of the other indigenous languages in Canada are going to die out," Gnyra says.

"A lot of those are quite closely related to Cree and Ojibwe. They're in the Algonquin language family. So if we create resources for those big languages, then we can adapt them pretty easily to the others."

But, she says, Cree is definitely being spoken in the home less often. There's been a recent push for more children to start using it, but many Cree parents don't themselves know how: another cruel legacy of residential schools.

Gnyra likens it to taking French immersion, but living in a house where none of the adults are fluent. "If you don't get an opportunity to hear (the language) and speak it at home," she says, "it won't click."

Little Cree Books is not a catch-all solution to this larger problem; Gnyra learned during her master's degree to beware of what's called "scope creep," where over-ambitious projects collapse under their own weight. But it aims to be a significant force for good nonetheless, allowing those children who are interested in reading Cree to continue doing so throughout elementary school.

Thanks to strong word of mouth, as well as a well-received presentation at Pecha Kucha 15 earlier this month, Gnyra's team of volunteers is already growing. A woman in Sault Ste. Marie is going to crochet different characters and then photograph an entire book's worth of poses. An ebook developer in Toronto will be writing coding so that the Little Cree titles will have audio components — which will in turn be provided by Gnyra's Cree teacher at the U of A.

She's also talking with architects, designers, other writers, Cree language and culture experts, and anyone else willing to lend a hand.

"We're always looking for people," Gnyra says. "The goal is to just keep creating books."

Two of the titles for the kindergarten/grade 1 level are already complete, with plans for another dozen or so to be ready to go and online by the time classes start up again this fall.

Curious parties can contact Gnyra directly, or else attend Little Cree's monthly volunteer meetings at their new meeting space in the Wichitowin offices on 113 Street, northwest of downtown, on the last Saturday of every month.

Aboriginal law rising

[Canadian Lawyer Magazine](#)

April 2013

Janice Tibbetts



Vancouver lawyer Thomas Isaac remembers a classroom of empty chairs when he took an aboriginal law course in the early 1980s at St. Thomas University, a small liberal arts school in New Brunswick. "I think I was one of a handful of people in the class," recounts Isaac, now a leading Canadian expert in the field. "I don't recall there being more

than three or four or five people." Aboriginal law was barely on the legal map in Canada at the time, he explains, despite a brand new recognition of aboriginal and treaty rights in s. 35 of the Constitution Act of 1982, affirming unspecified protections for Indians, Inuit, and Métis. "It still wasn't a live issue at all," says Issac, an author of 10 books on aboriginal law and leader of the aboriginal law group at McCarthy Tétrault LLP. "Academically, there was interest, but it was not affecting anybody on the ground, period." Popular thinking at the time, says Isaac, was constitutional protection of aboriginal rights would never amount to anything because "it was sold as an empty box" to government leaders in order to make it palatable. "It was tough to find lawyers who were trained in this stuff. There were very few non-advocates — people not necessarily advocating for rights but just trying to understand them."

Keith Bergner, another Vancouver lawyer who focuses on aboriginal law, tells a similar story. As a law student at McGill University in Montreal in the early 1990s, he was among only a few interested law students who showed up for "poorly attended elective courses" on aboriginal law. While aboriginal issues had been steadily gaining national attention — sparked by such events as the 1990 Oka crisis in Quebec and the failed Meech Lake accord that same year — the legal landscape was still relatively barren and there were few lawyers in the country who practised in the area.

Twenty years later, aboriginal law is surging. Most major law firms now have aboriginal law groups and some hire aboriginal consultants. The Federation of Law Societies recommended last year that all new lawyers called to the bar have some knowledge of aboriginal rights. Law schools are thus taking steps to enhance their aboriginal law offerings and UBC last fall introduced a mandatory course for first-year students. There are now thousands of lawyers nationwide who practise aboriginal law either exclusively or part time, whether it is representing First Nations, governments, or private companies, as they navigate an area that has become increasingly complex and litigious.

"Canadian aboriginal law is an area that has grown exponentially," asserts Aimée Craft, an indigenous lawyer and head of the Canadian Bar Association's aboriginal law section. Craft, a descendant of Manitoba Métis Louis Riel who practises at the Public Interest Law Centre in Winnipeg, notes aboriginal law has come a long way in recent years: until the early 1950s, the Indian Act banned First Nations from hiring lawyers to pursue land claims. "I would say it's been trending upwards for the last 10 or 15 years," concurs Bergner, a partner with Lawson Lundell LLP. "But it has been noticed more lately. There have been some major projects, particularly in Western Canada, that have brought resource development to the fore, and when resource development comes to the fore, the land issues that have always been there come to the fore along with them and I think that's partly the reason for the greater visibility lately."

Indeed, a recent focus on resource development — worth billions of dollars and counting — has vaulted aboriginal concerns into the spotlight. There are many high-profile, contested proposals nationwide, including the Enbridge “Northern Gateway” pipeline that would carry Alberta oil across northern British Columbia en route to Asia, and the controversial “Ring of Fire” mineral discovery, located on or near the traditional lands of several First Nations in Northern Ontario.

The recent growth, and accompanying profile, of aboriginal law begs the question of how the practice area grew from obscurity less than two decades ago into relatively big business, with no signs of letting up in the foreseeable future.

While there was a sprinkling of significant Supreme Court of Canada rulings defining aboriginal rights in the first two decades after the advent of the Canadian Constitution — such as the 1990 Sparrow decision affirming the right to fish alongside traditionally inhabited land and the 1997 Delgamuukw judgment confirming that aboriginal title included “a right to the land itself” — no decisions in the early years produced significant traction in the aboriginal law business. That all changed, however, when the Haida Nation of British Columbia’s Queen Charlotte Islands — known across Canada for its colourful totem poles carved from red cedar — took issue with a tree-farming licence the provincial government had issued to lumber-giant Weyerhaeuser Co., allowing it to log on land claimed by the Haida more than a century earlier. The dispute spawned a protracted legal battle that culminated in a seminal 2004 Supreme Court of Canada ruling that revolutionized the practice of aboriginal law.

The Supreme Court affirmed a constitutional duty for the Crown to consult before approving developments such as logging, mining, or new infrastructure on contested public land that was subject to claims that had not yet been proven. It was the first time the court recognized the “honour of the Crown” extended to negotiating with First Nations if they could be negatively impacted by the resource development in question. One year later, in 2005, the Supreme Court applied the duty to consult to projects on land involving treaty rights.

Lawyers and legal scholars contend if there is one single driver in the rapid growth of aboriginal law, it is the constitutionalized duty to consult, because it means aboriginal concerns are now central to virtually all resource development across the country. “Obviously with Haida [Nation], the world changed,” says Isaac. “Now, with any development on the ground, whether you’re acting for a lender or a developer, if it’s not the number one or number two issue people should be focused on, it’s in the top three,” he says. “What it means daily is that anytime you have a government approval that might have an adverse affect on an aboriginal interest, you don’t even have to prove rights — the duty to consult is triggered. And so imagine on a mine project, on a pipeline project, on a real estate development, on an energy project, on an electrical transmission line, on a rail project, on a bridge project, on a big highway project, all of those types of projects could have an

adverse affect on an aboriginal interest.”

The impact of the duty, he says, is felt far and wide. “I was on a trip overseas last fall and I can tell you the questions we hear from Asian investors,” says Isaac. “Yes, they want to know about Canada’s regulatory regime and yes, they want to know about export licences and then guess what they want to know about? Aboriginal issues.”

The challenge, in dealing with the duty to consult, is that it’s far from precise. The Supreme Court, in *Haida Nation*, established guidelines for the required scope of consultation, saying it would be based on a spectrum depending on such factors as the strength of the land claim in question and the potential adverse effects on the aboriginal way of life. The Crown’s duty to consult, the court stressed, does not necessarily mean the duty to accommodate, but that it could require it in appropriate circumstances.

Courts across the country, therefore, continue to finesse the meaning, which is often case specific. There are new challenges being filed continually, say lawyers, and First Nations are currently in the midst of seeking to broaden the scope. The ultimate goal, according to the Supreme Court, is reconciliation.

That has translated, in practical terms, into private companies assuming responsibility for negotiating with First Nations through the development process, from inception to completion and beyond. “Most project proponents are not content to leave their fate in the hands of the Crown and hope that the Crown will discharge the duty,” says Bergner. “Most proponents want to control their own destiny to a greater extent, to control their own projects, and build those relationships themselves because if you’re going to have a successful project, you need to have a successful relationship with your neighbours, or in some senses, your hosts.” Increasingly, he says, businesses accept that they need a “social licence” to operate “because it just makes good business sense, frankly.”

For lawyers such as Adam Chamberlain, a seasoned aboriginal law practitioner at Borden Ladner Gervais LLP in Toronto, that means he spends a good part of his time working for companies on the nuts and bolts of the consultation process, rather than helping them fight it out in court when and if negotiations go wrong. His practice, he says, includes such things as advising companies on environmental assessments or reaching what are known as “impact and benefits agreements” with First Nations, the outcome of successful negotiations between both parties, which can entail providing jobs for aboriginal workers.

“There is the law, and there are best practices, and they are not necessarily the same thing,” says Chamberlain, who has worked with aboriginal, business, and government clients. “In the end, what many developers end up doing is rolling up their sleeves and consulting with the aboriginal communities in the area. The good

proponents don't just speak in terms of doing consultation, getting an approval, and then going away, most proponents have ongoing relationships with the aboriginal communities they consult with and that's for very practical reasons."

First Nations are also becoming more practical, says Robert Freedman, a Vancouver lawyer who works exclusively for aboriginal groups. "There are no clients that I work with who are thrilled to have big projects in their territories, but more and more of them are taking the position that the best way to ensure benefits for their future generation is by cutting deals with companies because governments are not doing anything for them." To that end, says Freedman, impact and benefit agreements can mean a lot more than jobs — they can include payments to First Nations for "community sustainability," such as money for "education, language, development, and stuff like that." Freedman warns, however, that some projects are viewed by First Nation as too risky at any price, such as the Northern Gateway pipeline. "It's non-negotiable because no amount of money can compensate, if they're a fishing people, for a massive oil spill."

While negotiations between First Nations and private developers are now a part of doing business, there are also a significant number of lawsuits involving contested projects. "A big focus has been litigation in recent times," notes Naomi Metallic, a Mi'kmaq lawyer who works in Halifax where she represents aboriginal clients. "I think First Nations people are becoming more savvy about rights . . . and maybe there are more expectations." Craft describes the aboriginal law business as "a delicate mix" of court proceedings and everyday "solicitor's work" related to such things as negotiations with government and industry regarding land use. "We have First Nations who like to litigate and First Nations who like to negotiate," she says.

As the business of aboriginal law grows, the number of indigenous lawyers is on the rise. For instance, the Law Society of Upper Canada reported in 2009 that 65 per cent of the 260 self-identified aboriginal lawyers in Ontario had been called to the bar in the preceding eight years. However, Craft cautions, while the pool of indigenous lawyers may be growing, law firms are still falling short in retaining them, just as firms are having trouble keeping other minorities and women. "We need to get more indigenous people as part of the Canadian legal system if there is going to be true engagement," says Craft.

Metallic, who has represented aboriginal interests in resource negotiations, asserts it would be a mistake to conclude the growth in aboriginal law in recent years is exclusively tied to the duty to consult — although she acknowledges that consumes a significant part of the business. Shin Imai, an aboriginal law expert at York University's Osgoode Hall Law School, agrees that the duty to consult, while it grabs the most attention legally and politically, is not the only growing area of aboriginal law. He says it "cuts a wide swath of stuff" involving family, criminal, and human rights law — ranging from child-welfare cases to sentencing principles that require courts to take into account the over-representation of aboriginals in the criminal

justice system.

Metallic points to two recent developments she says have strengthened legal avenues for aboriginals who want to assert their rights in other areas, particularly human rights. One is the 2008 repeal of s. 67 of the Canadian Human Rights Act, which prevented aboriginals on reserves from pursuing certain types of human rights claims against the federal government. "Since this repeal happened we are now seeing more human rights cases," says Metallic. She names one potentially far-reaching challenge, currently before the Canadian Human Rights Tribunal, which human rights advocates cite as a crucial test of how far the act will go in protecting First Nations. In the challenge, the First Nations Child and Family Caring Society and the Assembly of First Nations argue the federal government, which is responsible for funding social programs on reserves, is discriminating by spending 22 per cent less on child-welfare services than provincial governments provide for children who live off reserves. The stakes could be ultimately much wider than child welfare. If First Nations win, it could have a potential impact on other federally funded services on reserves, such as health, education, and police. In fact, another human rights challenge is underway in northern Ontario, where chiefs of the Mushkegowuk First Nations are seeking equal policing services.

Meanwhile, Metallic is involved in a separate legal challenge to services on reserves — in which 17 aboriginal groups in Atlantic Canada have filed a judicial review of planned federal cuts to First Nations social assistance to bring payments in line with provincial rates. In that Federal Court case, social issues and the duty to consult intersect, says Metallic. "We're trying to expand the duty to consult," she says. "Governments are saying social programs aren't part of aboriginal rights under s. 35, at least as far as the courts have understood them, so we have no obligation to consult with you prior to making changes to any of these things on reserves that may affect you. So we're trying to say in this case maybe you do." The First Nations are relying on the established administrative law principle of procedural fairness to argue that the duty to consult is not necessarily confined to cases involving s. 35 Charter rights.

Another possible tool for First Nations is the United Nations Declaration on the Rights of Indigenous Peoples, which Canada signed in 2010. The international document, although not legally binding, could provide moral leverage for First Nations, says Metallic, who notes it contains a provision requiring governments to consult with indigenous peoples on matters of public policy that could have a detrimental effect. The provision was among the contentious elements that made the Harper government reject the rights blueprint for three years after its inception. One of the government's stated reasons at the time was that one of the articles — affirming that states "shall consult and co-operate in good faith with the indigenous peoples . . . in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them" — clashes with the Canadian Constitution, which requires a balancing of individual and

collective rights. In the end, the government signed on, saying it was better to be a signatory with stated concerns, rather than reject the declaration outright.

Initial resistance to the declaration, however, indicated the federal government and First Nations were on a potential collision course over developing natural resources — a clash that has been highlighted in recent years.

Osgoode's Imai and Gordon Christie, an aboriginal law professor at UBC, contend that tension between First Nations and the Harper government also is fuelling aboriginal desire to test their rights in the legal arena. "The government is not at all shy about saying we need to get to the resources," says Imai. "It's a very aggressive agenda and that ties into consultation and that the federal government has a duty to protect the land of aboriginal people." Christie says the existence of the duty to consult, combined with First Nations' frustration with the government's pursuit of resource development, "has created a bit of an industry" in the legal realm.

Indeed, Ottawa's "Responsible Resource Development" plan for extraction of natural resources, a key element of last year's federal budget, has thrust aboriginal concerns into the public eye. The government produced two pieces of legislation aboriginals say reduced environmental land protection — both of which were central to the recent Idle No More protests. The legislation is now the subject of two judicial review applications filed in the Federal Court by the Mikisew Cree and the Frog Lake First Nations, both located in northern Alberta near the massive oil sands development.

The two pieces of legislation in question were passed in 2012 — Bill C-38, which changed the Fisheries Act, and Bill C-45, an omnibus budget bill that contained many provisions, including changes to the 130-year-old Navigable Waters Protection Act. The recrafted act streamlined protection only for the country's busiest waterways, a change First Nations say eliminates environmental protection for thousands of rivers, streams, and small lakes. Victoria lawyer Robert Janes, counsel for the bands, told an Ottawa press conference earlier this year the lake at Frog Lake would no longer be protected, nor would many of "the vast number of navigable waterways" in Mikisew traditional territory making them vulnerable to being dug up for oil sands development. Bill C-38, which also passed last year, revamps Canada's environmental assessment law by, among other things, giving the federal cabinet more power over resource development.

The Mikisew First Nation, in an application filed in Federal Court, is seeking a declaration that the Conservative government and several ministers had a duty to consult on development and introduction of bills that could adversely affect the band.

The court challenges are perhaps an indication the surge in aboriginal law will continue. Lawyers point out the parameters of the duty to consult could be further

defined and possibly become more robust in years to come.

The question of whether the duty to consult includes Crown consultation with First Nations before passing legislation is unsettled, according to a 2010 ruling in the Supreme Court of Canada. In a ruling involving a resource dispute between Rio Tinto Alcan Inc. and the Carrier Sekani Tribal Council over a smelter in Kitimat, B.C., the court ventured briefly into broad territory by expressly stating it would “leave for another day the question of whether government conduct includes legislative action.” “That question is out there and it’s an interesting one,” observes Lawson Lundell’s Bergner, who was involved in the Rio Tinto-Carrier Sekani case. “It’s a mug’s game trying to guess what the outcome will be. It’s early days on that one.”

Bergner also notes “another great example” of whether there is a Crown duty to consult will play out in a legal challenge filed by the Hupacasath First Nation in B.C. against Canada’s free-trade pact with China. The band, which is supported by aboriginal chiefs in B.C. and Ontario, is seeking Federal Court judicial review of the Canada-China Foreign Investment Promotion and Protection Act, arguing extraction of resources by foreign interests could affect aboriginal rights. “Is there a Crown duty to consult over international treaty making?” asks Bergner. “On the duty to consult, the Supreme Court said the lower courts would fill in the details as time goes on. Well, there are an awful lot of details to fill in.”

And that, among other things, is keeping the aboriginal law community busy. According to Isaac, a self-described “one-trick pony” who spent his early years of practice in the company of a then-meagre group of aboriginal law practitioners, it’s turned out to be a specialty worth having. Adds Freedman, a full-time aboriginal law practitioner who took his first course in the area because it fit his schedule when he was at Queen’s University law school: “Twenty years ago when I started this I don’t think anyone had any clue of how this would morph the way it’s morphed. And as long as companies want to develop land with resources — and we know Canada has a lot of resources — I don’t see it slowing down.”

First Nations Chiefs prepare to break ranks with AFN on treaty process

[Globe and Mail](#)

Apr. 01 2013, 6:00 AM EDT

Kathryn Blaze Carlson



Regional Chief Perry Bellegarde, the AFN's point person on treaties, in Saskatoon Sunday. (Liam Richards for The Globe and Mail)

Chiefs are working to create a new National Treaty Alliance that would mount a tough stand on treaty

rights, raising the spectre of a fractured Assembly of First Nations at a time when aboriginal-federal relations are already strained.

The push for a new group comes just as the assembly is forming a task force to “flesh out” a treaty implementation process, according to a statement released Friday after a two-day treaty forum in Saskatchewan. A National Treaty Alliance could dilute the AFN’s voice as the assembly works to help First Nations secure rights that they say have been squandered due to modern legislation and a lack of recognition.

“There’s a growing sense that something needs to happen – that people need an alternative,” said Grand Chief Derek Nepinak, who represents 60 Manitoba First Nations. “We have to be brave enough to look at something new, and that’s where we’re going.”

Grand Chief Nepinak said the new group would be open to First Nations that have signed modern comprehensive land claim settlements, but the thrust of its membership would be nations that long ago signed treaties entitling them to rights such as reserve lands, annual payments and hunting and fishing privileges.

National Chief Shawn Atleo has presided over a particularly tumultuous four months that saw the rise of the Idle No More protest movement and brewing divisions within his assembly over how it should interact with the Harper government. Although Regional Chief Perry Bellegarde, the assembly’s point-person on treaties, said a message of unity emanated from the Saskatchewan forum, the rise of a new group threatens to divide First Nations at a particularly tense moment in aboriginal-federal relations.

“The government would love [if a new group emerged] because we’d be divided and conquered,” Regional Chief Bellegarde said.

Grand Chief Nepinak, a vocal critic of Chief Atleo’s Jan. 11 meeting with the Prime Minister, said he discussed the prospect of a treaty alliance at the Saskatchewan meeting. “We seem to be spinning our wheels,” he told hundreds of delegates. He also spoke about asserting aboriginal rights and jurisdiction, tacitly encouraging First Nations people to hunt and fish when they deem appropriate and “without consideration of conservation officers.”

After the meeting, he sent a letter to Chief Atleo saying the recommendations that came out of the forum “must not be considered as consultation” and that treaty negotiations must be done on a nation-to-nation basis. In an e-mailed statement to The Globe and Mail, Chief Atleo said the meeting fostered “open dialogue with clear results directing the AFN to continue efforts supporting Treaty First Nations.”

The push for a treaty alliance has been percolating for decades: In the 1980s, the Prairie Treaty Nations Alliance was born, and for the past several years leaders from the numbered treaties have met annually. A formalized National Treaty Alliance would bring together treaty nations from regions across the country.

Ontario's Chief Isadore Day and Manitoba's Chief Norman Bone said they are also working to shore nationwide support for the new group, calling and e-mailing leaders and pitching the idea in presentations at chiefs' gatherings. Chief Bone pulled his First Nation out of the assembly in 2005, and while the organizers say they are not encouraging chiefs to do the same, Chief Bone said others might follow suit once a new group is created.

Simon Fraser University Professor Doug McArthur said the new group would "weaken the First Nations position" at a time when aboriginal youth are being eyed to fill employment gaps and when resources are especially key to the federal agenda.

"Fracturing the AFN would really play into the hands of the federal government," said Mr. McArthur, who served as B.C.'s deputy aboriginal affairs minister.

NunatuKavut ramping up Muskrat Falls protests

[CBC News](#)

Apr 1, 2013 1:05 PM NT



Todd Russell says NunatuKavut members will comply with a court order imposed last fall, but he warns that frustration is mounting with the Muskrat Falls project. (CBC)

The leader of Labrador's Inuit Métis says a flat-out refusal to negotiate from the Newfoundland and Labrador government has left him no choice but to step up public protests against the Lower Churchill hydroelectric project.

"This is a signal," Todd Russell, the president of NunatuKavut, told CBC News on Monday.

"This is a signal that we're going to escalate. We're going to have more intensive, on-the-ground actions, and they will persist over a longer period of time."

Russell said he met with three provincial government ministers in February with what he called "concrete proposals" that would lay out "a reasonable way forward" on development of the Muskrat Falls project. He did not elaborate on his organization's proposal.

Russell said the ministers — Natural Resources Minister Tom Marshall, Intergovernmental and Aboriginal Affairs Minister Felix Collins, and Nick McGrath, responsible for the Labrador Affairs portfolio — "outright refused our offer," which he said forced NunatuKavut's leaders to act.

In November, Nalcor Energy won a permanent injunction in court that forces members of the NunatuKavut Community Council to refrain from blocking access to the site near Muskrat Falls.

In an interview, Russell said his group will respect the court injunction, but will also make its presence known, not only at the site, but also in other Labrador communities.

"We have a right to protest. We will be doing this in a peaceful and orderly way," Russell said.

"But as I've said earlier, there is a growing sense of frustration with this."

The Inuit-language bible it took 34 years to translate is now available as an app



[National Post](#)

13/04/01 9:03 PM ET

Tristin Hopper

Marian Scott / Postmedia News files The text comes from a three-decade long collaboration between the Anglican Church and the Canadian Bible Society to translate both testaments into Eastern Arctic Inuktitut.

An Inuit-language bible that took 34 years to translate is now available as an app.

Last week, an Inuktitut option was added to a free bible app published by YouVersion.com, the online publishing arm of an Oklahoma-based megachurch. The text comes from a three-decade long collaboration between the Anglican Church and the Canadian Bible Society to translate both testaments into Eastern Arctic Inuktitut.

"We're happy to have this out of the way," Rev. Canon Jonas Allooooloo, who was with the translation team since its 1978 inception, told the Post at the time. "It's been 34 years and we can do something else now."

Dedicated just last June in Iqaluit, the Inuktitut bible was prepared by a small team of Inuit translators who painstakingly bridged the many linguistic gaps between millennia-old Middle Eastern texts and a language developed by Arctic-dwelling hunter-gatherers.

Although it is not the first Inuktitut bible, it is the first to be completed by native speakers, rather than missionaries.

Plugging Inuktitut into the app took a bit longer than usual owing to the language's unique alphabet, according to a report by the Iqaluit-based Nunatsiaq News.

Inuktitut is one of 245 languages offered by the app.

Although the bible is certifiably public domain, the same is not true for Canadian Bible Society translations. When quoting the Inuktitut bible, no more than 500 verses can be used without permission, according to copyright rules posted to YouVersion.com.

MMG ventures into Inuit territory: Zinc-copper project must make it through three years of environmental impact studies in Canada

[South China Morning Post](#)

02 April, 2013

Eric Ng eric.mpng@scmp.com



MMG chief executive Andrew Michelmore expects a feasibility study on the Izok Corridor project to be completed this year. Photo: Bloomberg

Miner MMG aims to have its zinc-copper project in Canada's northernmost territory up and running by 2018.

The overseas non-ferrous metals mining unit of China's largest metals trader, China

Minmetals Non-Ferrous Metals, expects to complete a feasibility study on the project in the second half of this year, according to MMG chief executive Andrew Michelmore.

But the project, located in an ecologically sensitive area in the Izok Corridor in Nunavut must pass three years of environmental impact studies before it can go ahead. It is in the first year of such studies.

The area being explored and developed sits on the migration paths of caribou, an important food source for the local Inuit people. Drilling equipment has to be flown in and out of the tundra-covered operating area by helicopter.

The area also has unusually rich zinc ore, with the metal comprising about a quarter of each tonne extracted. Zinc mines are usually 5 to 15 per cent zinc, according to the International Zinc Association.

Nunavut, with just 32,000 people, is the only administrative region in Canada that is not connected to the rest of the nation by highway, making mining more costly and difficult.

If this mine were located anywhere else, it would have been mined already. It is very prospective, but the location means we need more tonnes [of resources] to justify development than other mines

"If this mine were located anywhere else, it would have been mined already," Michelmore said.

"It is very prospective, but the location means we need more tonnes [of resources] to justify development than other mines."

The Nunavut government was keen for the project to create jobs for the territory, where most of the employment was provided by the government, he said. Michelmore estimated the Izok Corridor project would cost half as much again as MMG's A\$1.49 billion (HK\$12 billion) Dugald River zinc mine in northwest Queensland, Australia.

MMG has received a non-binding commitment from China Development Bank to provide a 13-year US\$1 billion loan to the Dugald River project, which is expected to be commissioned in 2015 with an annual output of 200,000 to 220,000 tonnes of zinc, among other metals.

It will partly offset MMG's 480,000 tonne-a-year Century mine - also in Queensland - after it is decommissioned in 2016.

The Izok Corridor project's initial annual output is expected to be 180,000 tonnes of zinc and 50,000 tonnes of copper. MMG last week posted a 29 per cent fall in underlying net profit to US\$217.5 million last year due to lower metal prices and higher costs, despite higher output.

Michelmore said it was looking to buy mining projects in South America and southern Africa, although it might avoid South Africa and Venezuela due to geopolitical and security risks.

Down-to-earth Victoria students share promise and history of camas

[Times Colonist](#)

March 31, 2013

Judith Lavoie



Abby Scotney, left, and Hanna Lalev from Shoreline Middle School plant purple camas flowers to brighten the lower campus of Royal Roads University. The planting was supervised by Ken Elliott, owner of a native plant nursery. Photograph by: LYLE STAFFORD, Times Colonist

Soft piles of soil near the waterfront at Royal Roads University hold hopes for the future and a link to the past for a dozen students from Shoreline Middle School.

Using traditional digging sticks, aided by more modern shovels, Grade 6 students burrowed into the mounds of earth on Wednesday and planted bulbs of common camas — a plant that was once ubiquitous around southern Vancouver Island.

It was also a food staple for First Nations.

“The camas would be steamed. It’s our potato,” said Ken Elliott of Cowichan Tribes, owner of a native plant nursery.

Elliott has provided dozens of camas bulbs for the project, which is being co-ordinated by the Centre for Livelihoods and Ecology at Royal Roads, and he is hoping to inspire a curiosity about the past.

“I am encouraging the kids to go back to their family elders and see if they remember a plant they used for food, a plant they used as a tool and a plant they used for medicine,” said Elliott, who has watched traditional use of many plants disappear within four generations.

As Elliott supervised the planting — in an area where First Nations would have traditionally harvested clams and then camped on shore where camas, chocolate lilies, nodding onions and yarrow were planted — he also tried to instill respect for the land.

“Before harvesting, they would pray and thank the Creator and thank the bulbs,” he said.

It is hoped the camas will bloom in June, displaying its bright blue-purple flowers, and that a harvest might be possible next year.

Only camas with blue-purple blossoms are edible. “Cream colour is the death camas, and that means it’s poisonous,” Elliott said.

Cooking the bulbs can be tricky, he said.

“If it is steamed too quickly and the temperature is too high, all the nutritious value gets cooked out. If you want them for lunch today, you would start steaming them at lunch yesterday.”

Tim Brigham, Livelihoods and Ecology co-ordinator, said Shoreline and Songhees First Nation have enthusiastically embraced the traditional plant management project, which has been funded by a \$5,000 contribution from Vancity Credit Union.

“The kids are totally engaged,” he said.

"We wanted to create appreciation for something that used to be all over Victoria. We're hoping, if it is successful, other communities will get on board.

For students, the chance to dig in the dirt on a spring day was almost reward enough for taking part in the project.

"I like coming out here to plant," said 11-year-old Victoria Fisher. "It's kind of fun and I like listening to First Nations stories."

Taylor Foster, 11, liked digging and the chance to explore the adjacent forest.

"And I like listening to First Nations music," she said.

Teacher-librarian Jane Spies said the group includes First Nations and non-aboriginal students.

"We opened it up to whoever was interested," she said.

A similar project is being considered for the school, Spies said. "This is a neat connection between the kids, elders, Royal Roads and Vancity."

jlavoie@timescolonist.com

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Hunger strike 'complete' this time, Cross Lake elder vows

[Winnipeg Free Press](#)

April 3, 2013



Cree elder Raymond Robinson is back on a hunger strike and this time he vows he won't take any sustenance until his demands are met.

"This hunger strike is a complete hunger strike: no food no water, no nothing: complete shut down," he wrote on his Facebook page. "(The) hunger strike is my 'take it or leave it' message to Harper and his government."

In late January, the Cross Lake man ended his public fast with Attawapiskat Chief Theresa Spence. The pair drank only tea and fish broth

for 43 days to bring awareness to new federal laws they believe erode treaty rights and environmental laws.

Robinson said he plans to starve himself until "the Harper government meets with my chiefs on a Nation-Nation basis and start seriously discussing our inherent aboriginal treaty rights."

First Nations law program pitched at University of Windsor

[CBC News](#)

Apr 3, 2013 7:41 AM ET



Draft curriculum will be reviewed later this year for a new First Nations law program at the University of Windsor. (Bloomberries/flickr)

Students and faculty at the University of Windsor say there needs to be a push for Canadians to fully appreciate the issues the country's First Nations.

While in Yellowknife working on an internship to complete her law degree, Caitlin Beresford is also working on a project she began Windsor.

Beresford recently gathered signatures from students and staff at the university in a push to create a program tailored to aboriginal law.

"I'm really happy with how many participated," Beresford said. "Myself, as well as other students, were really touched and affected by the discussions we had. By being able to participate on a personal level really motivates students to create change."

The changes may be a long way off but the draft curriculum will be reviewed later this year.

"I think it would benefit the community by having access to lawyers knowledgeable about their background, aboriginal history, when they're making a sentence decision," said Melanie Garant of the Can-Am Indian Friendship Centre.

The project is dual-focused in trying to get more people to stand in solidarity with First Nations issues and getting more aboriginal people enrolled in the program. "It's not just a question of going out and helping the people in the community but relating respectively in a way that understanding their needs," said associated dean of the faculty of law, Reem Bahdi.

Bahdi said there's a bigger onus on the department because many First Nations issues today stem from legal decisions made in the past.

"In a law school, we particularly have a responsibility to promote understanding of how law has played into not just the residential school system but the overall history and experience of aboriginal peoples," Bahdi said.

Past and present experiences continue to make headlines today. Some issues are still not resolved.

The Idle No More movement is a grassroots campaign that is still active across the continent in bringing First Nations' issues to the forefront.

Vancouver heritage plaques ignore First Nations history

[First Perspective](#)

04 April 2013 13:16

Carlo Pablo

EVOKING A DESOLATE setting, a plaque immortalizes a Canadian Pacific Railway surveyor as he began to lay out the early streets of a townsite that is now Vancouver.

It was 1885, a year before the city was incorporated, and Lauchlan Alexander Hamilton stood at what is now 300 West Hastings Street, at the corner of Hamilton Street (which bears his name).

"In the silent solitude of the primeval forest," the plaque reads, "he drove a wooden stake in the earth and commenced to measure an empty land."

But the land wasn't really empty. Now, aboriginal leaders are saying there should be some tangible recognition that their ancestors were here before Europeans arrived. "Things like that sort of play into the idea that the city of Vancouver grew out of a vast wilderness, when it wasn't," Musqueam Indian Band councillor Wade Grant said

when asked by the Georgia Straight about the Hamilton plaque during a phone interview.

Vancouver and its nearby areas are claimed as part of the traditional territories of the Musqueam as well as the Tsleil-Waututh and Squamish nations. They all belong to the larger group of Coast Salish peoples, who inhabited what some call the Pacific Northwest in the present-day U.S. and Canada.

"We are trying to overcome the idea that this was a barren land," Grant said. "There were people that lived here and used this land for thousands of years."

The Hamilton plaque was unveiled in 1952 as part of celebrations commemorating Vancouver's incorporation. It's one of many markers around the city that remind aboriginal people that their history has been systematically eradicated.

"It underlies a lot of the issues going on today, specifically aboriginal title and rights, land claims, the land question," Don Bain noted.

Bain, the executive director of the Union of B.C. Indian Chiefs, took the Straight for a short walk on Water Street, home to the organization's Gastown offices. A few steps from where the Lheidli T'enneh First Nation man works stands the Taylor Building, a five-storey brick-and-stone structure built in 1911 that is now a mixed retail and residential building.

The building bears a City of Vancouver heritage marker noting that it was commissioned by Walter Taylor and Edward Clarence Taylor. The former was the founder of the Empress Manufacturing Company, which specialized in imported coffee and local jams and jellies. "It became one of the most successful local food suppliers," the plaque recalls.

According to Bain, signs like this one at 310 Water Street reinforce a "mythology" about a wild land "tamed" by Europeans.

"It isn't just about building heritage that should be recognized by the City of Vancouver," Bain said. "It should [also] be the heritage of the land...the history of the land before Vancouver."

Across the street from where Bain stood is Hudson House, at 321 Water Street. Built in 1895, it served as the "main warehouse" for the Hudson's Bay Company's fur and liquor, according to a marker installed by the Gastown Business Improvement Association.

The handsome five-storey red-brick building now houses a clothing store, a steak house, a coffee shop, and offices.

But because markers like these don't reflect the stories of the first inhabitants of Vancouver, tourists and many citizens don't know the full history of places in the city, Bain said. "And I think that's wrong."

Former Tsleil-Waututh chief Leah George-Wilson acknowledged that the city has been working over the years on "relationship-building" with First Nations. She also noted that there are many ways to strengthen the presence of aboriginal people in the city.

"It doesn't have to be [commemorative markers] but...it sounds good," George-Wilson told the Straight by phone. "It needs to be something that the city works on with the First Nations. It can't just be something the city goes out and does and says, 'Hey, First Nations, come and look what we did.' "

Musqueam councillor Grant noted that a few signs recognize the presence of aboriginal people in Vancouver "prior to colonization". Back in 1933, the federal government recognized the Marpole midden in South Vancouver as a national historical site and placed a marker there.

But these are few and far between, according to Grant. Noting that First Nations are eager to share their history with the world, Grant said: "We would love to have the ability to tell our story in our words in and around what is called the city of Vancouver now."

Ottawa Inuit Children's Centre opens new facility thanks to major bank donation

[Ottawa Citizen](#)

April 3, 2013

Aaron L. Pope



Christopher Cameron jumps to kick a piece of bread on a string imitating a Inuit game where the objective is to kick the object on the string and land on the same leg. Photograph by: Evan Campbell, Ottawa Citizen

OTTAWA — The Ottawa Inuit Children's Centre celebrated the official opening Wednesday of a new facility thanks to a \$350,000 donation from TD Canada Trust. OICC used the donation to purchase a new building on the near the corner of Vanier Parkway and Queen Mary Street.

"Settling in a new city can be a daunting experience," said Teri Currie of TD Bank Group. "To have a place that can connect families and give them the ability to settle effectively is honourable work."

The opening gave the children a chance to show off their new home away from home to TD employees, media and Mayor Jim Watson.

Watson made sure to point out that it was actually colder in Ottawa on Wednesday morning than it was in Iqaluit, Nunavut.

"Every single Canadian should have on their bucket list to go and visit at least one of the territories," said Watson. "It's so beautiful and untouched in many instances." Even though the Inuit people make up only a small fraction of the total aboriginal population in Canada, they are also the youngest and fastest growing demographic, which makes the connection to community and culture ever more important. It was the grounding of Inuit culture and tradition that gave Ottawa Inuit Children's Centre president Maatalii Okalik the confidence to seek out her Carleton University education and pursue her career. In a lot of ways, Okalik is the embodiment of Inuit values in Ottawa.

Okalik, who recently finished a double major in human rights and political science, said it was her mother who taught her about the importance of community and Inuit culture after moving to Ottawa as a young child.

The OICC serves more than 100 children a day and provides 10 programs from kindergarten to head-start programs. It also caters to older children and teens by providing after school programs and a place to hang out and relax among peers. It offers training in Inuktitut, which is open to anyone and is funded by Canadian Heritage.

"Language is culture," said Okalik, "and in order to communicate with our community members, especially the elderly ones who are unilingual, (Inuktitut language training) is definitely a priority."

Mikka Komaksiutiksak, 21, and her brothers William, 16 and Keenan, 14, from Rankin Inlet, Nunavut, gave tours of the facility and talked about how much the OICC has helped them adjust to the Ottawa area after moving to Ottawa 12 years ago.

"Our family moved here because my dad needed better employment because there is four of us living in the family," said Mikka, who is studying at the University of Ottawa. "Moving to Ottawa was also for us to get a better education because the schooling system (in Rankin Inlet) is different and we want to be able to help develop our community."

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Aboriginal leaders urge total ban on Fraser River early chinook fishery

[Vancouver Sun](#)

April 4, 2013 10:34 AM



Rob Silzer holds a 24-pound chinook salmon he caught during a guided fishing tour. The Union of BC Indian Chiefs is calling on First Nations to suspend all fishing for Fraser River early chinook salmon, and it's demanding the federal government halt all non-aboriginal fisheries for the same run. Photograph by: CANADIAN PRESS/Darryl Dyck

VANCOUVER - The Union of BC Indian Chiefs is calling on First Nations to suspend all fishing for Fraser River early chinook salmon, and it's demanding the federal government halt all non-aboriginal fisheries for the same run.

This is the third consecutive year the group has called for a complete ban on fishing of the early salmon run to allow for its continued recovery.

The union's vice president, Chief Bob Chamberlain, says all levels of government, and particularly the Department of Fisheries and Oceans, must take immediate and meaningful steps to protect early chinook runs.

He says ensuring the recovery and restoration of the stock is important to the continued survival as indigenous peoples.

UBCIC president Grand Chief Stewart Phillip says the early chinook stocks returning through the Fraser River and into the Nicola and Thompson systems have seen drastic declines.

Phillip accuses DFO of what he calls "poor and sloppy" management of the entire Fraser system, allowing further deterioration of the river's salmon stocks.

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The Big Picture: Nature isn't a bunch of disconnected bits

[Planet S Magazine](#)

Published Thursday April 4, 11:33 am

David Suzuki

Few places on Earth have been untouched by humans, according to a study in the journal *Science*. Satellite images taken from hundreds of kilometres above the planet reveal a world that we have irrevocably changed within a remarkably short time.

Although industrial-scale projects — like the proposed Enbridge Northern Gateway pipeline or the recently defeated mega-quarry in Ontario — typically grab the headlines and bring out public opposition, it's often the combined impacts of a range of human activities on the same land base that threaten to drive nature beyond critical tipping points. Once those are passed, rapid ecological changes such as species extinction can occur.

For example, in British Columbia's booming Peace Region, forestry, energy and mineral leases and licences are widespread and often multilayered in the same area. As various industries have exploited these "tenures," a sprawling patchwork of large clearcuts, oil wells, dams and reservoirs, fracking operations and thousands of kilometres of seismic lines, roads and pipelines have come to dominate the landscape.

Today, more than 65 per cent of the region has felt the impact of industrial development, leaving little intact habitat for sensitive, endangered species such as caribou to feed, breed or roam. Degradation or destruction of habitat has convinced scientists that remaining herds in the region are no longer self-sustaining and are

spiraling toward local extinction. First Nations, who have relied upon caribou as their primary source of food for thousands of years, can no longer hunt them. This is a clear violation of treaty rights.

This dire situation didn't happen by accident or because of a laissez-faire approach to resource and land management. Numerous industries in the area have been operating legally and according to rules and regulations set by government. But legal experts, such as those at the nongovernmental organization West Coast Environmental Law, believe a root cause of the problem lies in laws about land, resource and water management that are "hardwired" to fail communities and the environment. The narrow focus of those laws lets industries operate in isolation from one another.

B.C., for example, has developed numerous individual laws, like the Forest and Range Practices Act, Oil and Gas Activities Act and Mines Act, alongside the regulated industries they enable. But the province lacks a legal framework to proactively and comprehensively manage the cumulative impacts of multiple resource industries operating within the same area.

Because of this, WCEL and its First Nations partners are engaged in a multi-year law reform project that aims to overhaul the way we currently oversee and regulate cumulative impacts, ranging from declining water quality (which may arise as a result of multiple industries using a common resource) to emerging threats such as climate change.

A cumulative-impacts approach to governing resource development would upend the current management paradigm. It would focus on the management needs of the land, water, air and wildlife and the communities that depend on them first, rather than the resources to be extracted. In practical terms, this would mean that, rather than focusing on what we should take from nature to create wealth and employment, we should first consider what must be retained in nature to sustain both wildlife and the well-being of local communities — such as clean air, safe drinking water and healthy local food.

At a recent symposium on managing the cumulative impacts of resource development in B.C., numerous speakers — from First Nations to academics to business leaders — stressed that effectively managing cumulative impacts will require new institutions and governance mechanisms, even new legal tools. More importantly, it will require our leaders to adopt a more proactive and holistic way of thinking about the world — one that recognizes that far from just being a place to extract resources like fossil fuels, timber and minerals, nature is our home. Nature provides our most fundamental needs and dictates limits to growth and so its protection should be our highest priority.

Managing our massive, growing human footprint on this planet more sustainably will require leadership, much of which is emerging from First Nations peoples who are on the frontlines of the day-to-day realities of cumulative environmental change. We need to look at the big picture rather than individual elements in isolation.

With contributions from Faisal Moola. Learn more at www.davidsuzuki.org.

More jail won't solve Canada's aboriginal incarceration problem

[The Globe and Mail](#)

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Gary Mason

There seem to be few people who think the answer to solving the abysmally high incarceration rate for aboriginals is to make it easier to throw them in jail and keep them longer. But that's what many believe the federal Conservative government is intent on doing.

Last week, B.C.'s provincial health officer, Perry Kendall, added his voice to a burgeoning group of public officials worried about the increasing role that prisons are playing in the lives of First Nations, Inuit and Métis people. His report suggested that the Safe Streets and Communities Act – passed last year – will only intensify the problem.

A few weeks before him, Howard Sapers, Canada's prison watchdog, was critical of Ottawa for doing little to address a situation he said continues to get worse. In the past five years alone, the population of aboriginal inmates in federal penitentiaries increased by 43 per cent. Today, aboriginal people make up 23 per cent of all inmates in federal institutions despite representing just 4 per cent of Canada's population.

Before Mr. Sapers, former Supreme Court justice Frank Iacobucci issued a report that suggested Ontario's justice system is in crisis as it concerns the province's First Nations community. He found that aboriginal people are subjected to systemic racism in the courts, prison and jury process.

In Saskatchewan, which has the highest native incarceration rate in the country, the person who's been handed the job of trying to change this grim picture told the Canadian Association of Chiefs of Police that we aren't going to "arrest our way" out of it.

Dale McFee, former police chief in Prince Albert and now deputy minister of corrections and policing in Saskatchewan's Ministry of Justice, is trying to introduce more holistic techniques in an attempt to reverse this situation. Aboriginal people, who represent 11 per cent of Saskatchewan's population, have made up as much as 80 per cent of the jail population in recent years. Mr. McFee's approach means

pouring resources into things such as abuse counselling and addressing poverty and cultural issues before they lead to aberrant behaviour.

But the federal Conservatives are allergic to words such as holistic, especially as it pertains to matters of crime and punishment. In fact, it's possible that the Conservatives are going to make what's already a national disgrace into an international embarrassment.

The Safe Streets Act introduced new mandatory minimum sentences for some offences and increases existing minimum penalties in other areas. It also makes changes to the Youth Criminal Justice Act to allow the courts to keep young people in custody while awaiting sentencing. It's the contention of Dr. Kendall and others that the act also undermines a section of the Criminal Code that asks judges to consider all possible options for sentencing before choosing prison, especially for aboriginal people.

And this, despite a plethora of studies that have shown that prison and longer sentences don't act as deterrents or reduce the likelihood that a person will reoffend. In fact, studies have demonstrated that more prison time can actually increase crime.

Most of us are familiar with the litany of reasons why our First Nations people end up in jail. They're societal, historical and deep rooted in scope. They link to poor health, poor education and the less visible, but no less damaging, influences of colonialism and racism.

In B.C., aboriginal people represent about 5 per cent of the general population but nearly a quarter of the admissions to the province's correctional centres. Dr. Kendall believes this statistic has the potential to become much worse.

Incarceration rates are highest among those 20 to 34. Dr. Kendall reasonably presumes that the more people you have in that demographic, the greater the likelihood of a higher crime rate. In B.C.'s aboriginal population, there's an abnormally large number of people in the under 19 group. As this cohort moves into the 20-to-34 category, there's the real risk that this will increase the already unacceptable overrepresentation in the adult criminal justice system.

Dr. Kendall is urging the federal government to revoke or amend those sections of the Safe Streets Act that he and others believe will only exacerbate an already terrible condition. Rather than locking up aboriginal people and throwing away the key, Dr. Kendall believes we'd be better off providing more resources for rehabilitation and setting off in the more enlightened direction that Saskatchewan has taken than in building more space in our prisons.

It's worth a try. Clearly the approach we've taken until now isn't working.